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C O N F I D E N T I A L SECTION 01 OF 04 ABUJA 002320

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SUBJECT: NIGERIA: GOVT. PRACTICES - INFO COLLECTION,
SCREENING & SHARING

REF: SECSTATE 133921

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b
& d).

11. (C) Below are responses to reftel information request on
GON information collecting, screening and sharing.

1A. Watchlisting

(C) The government of Nigeria (GON) maintains a watchlist which consists of binders with names and photographs of individuals of interest, coded by threat (terrorist, criminal, etc.) It is purportedly on hand at all border crossing posts and updated regularly. The watchlist is maintained by the Department of State Services (DSS), more popularly known as the State Security Service (SSS) or "Triple S." (Note: The Department, and particularly its higher echelons, PolOff was told, typically refers to itself as the DSS, while outsiders call it the SSS. END NOTE.)

(C) To put matters into perspective, the Nigerian Police Force does not even have a database of its own members, let alone a sophisticated, networked, electronic criminal or watchlist database. Officials at the Economic and Financial Crimes Commission and police have admitted to INL Off that no criminal database in fact exists within the country. The Inspector General of Police has asked for USG help in developing a personnel database. (COMMENT: Given that political violence in Nigeria occasionally results in the torching of police stations, we wonder how many paper records remain. END COMMENT)

1B. Traveler Information Collection

(C) The Nigerian Immigration Service (NIS) collects Passenger Name Record (PNR) data on incoming passengers for commercial flights and vessels. The information is archived by the Interior Ministry, though not electronically. Passengers are screened by NIS officials as well as by DSS agents at each border control post. The GON maintains that it shares and coordinates watchlist information with neighboring countries. Given limited technical infrastructure and financial resources, advance passenger information systems are not in place.

C. Border Control and Screening:

(C) Given the lack of technical infrastructure, including a reliable power supply, travelers are not screened or tracked electronically. Rather they are manually screened and physically tracked, if deemed necessary or appropriate. Hotels do report guests to the police and DSS, which has the capability to track both foreigners and Nigerian citizens of interest. COMMENT: A GON official pointed out to PolOff that the DSS had become very adept and practiced at monitoring dissidents and journalists during the Abacha regime. END COMMENT.

(C) In principle, no entrants are simply "waived through" without proper credentials, but officials of various agencies admitted that the practice is not uncommon at border crossings in remote areas by members of like ethnic groups. No one would hazard a guess as to what percentage of border crossings are unrecorded, though porous borders are a problem Nigeria shares with most other Sub-Saharan African nations. All GON officials expressed an interest in any assistance - technical, financial, or otherwise - and training the USG might consider providing. (COMMENT: PolOff recently sat in on USG sponsored training on "Interdicting Terrorist Activities" for staff of the various Nigerian security agencies, held at the Office of the Nigerian National Security Adviser. The course was very well received, and generated a lot of goodwill and contacts for future collaborations. END COMMENT)

(C) Government border control officials do have the authority to question, detain and deny entry to individuals who present themselves at points of entry (POEs). Supposedly, each border post has agents of not only the NIS, but also DSS and the

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National Drug Law Enforcement Agency (NDLEA).

(C) According to the Office of the National Security Adviser (ONSA), information sharing within the Nigerian government functions reasonably well, though INL Off maintains he has seen little evidence of information sharing at all. The DSS in particular is reputed to share the least.

D. Biometric Collection

(C) On July 27, 2007 the GON introduced e-passports which contain a data chip, produced in accordance with the parameters and safety procedures of the International Civil Aviation Organization (ICAO). The new e-passports include biometric data in the form of fingerprints and digital photographs embedded electronically. The new system, to be phased in over three years, will allow for the development of an electronic database of 20-30 million records, according to an official in the Customs and Immigration section of the Ministry of Foreign Affairs (MFA). The Interior Ministry currently has cumulative paper records of 5 million passports issued. (COMMENT: Even with widespread poverty, this number seems remarkably low for the number of passports ever/ever issued in a country of more than 140 million people. END COMMENT) The new database, which is in the process of being compiled from new passport applications, will help eliminate problems of double acquisition of passports, substitution and identity theft. Currently there is no plan to computerize the old records, as old passports will phase out over the next three years. By the end of 2010, all Nigerian passports will be e-passports, and the old ones will be invalid. Fingerprints for the new passports are taken flat, not rolled. As of November 1, post has been unable to determine whether they are NIST, INT-I, EFTS, UK1 or RTID compliant. Will update in septel.

(C) According to the Comptroller-General of the NIS, Mr. Chukwurah Joseph Udeh, the objective of the new documents, besides enhanced security, is to restore the dignity of the Nigerian passport and end the abuse and embarrassment of Nigerians, who have been subjected to ridicule and challenge

at POEs abroad. Udeh has also said that the Federal Executive Council approved the deployment of 147 gates, capable of electronically capturing biometric data contained on the chips embedded in the e-passports, to all POEs across the country. In addition to its four international airports in Lagos, Abuja, Port Harcourt (currently closed) and Kano, Nigeria has 2 principal seaports in Lagos and Port Harcourt and 22 official land crossings. Staff in the Office of the National Security Adviser have assured PolOff that they intend to share the public key for reading biometric passport data with the USG and other governments.

(C) Since the biometric systems are in the process of being instituted and installed, the GON is unaware of any countermeasures to circumvent the checkpoints. An issue of concern for the GON, however, is the ability of the gates to function adequately at remote land crossings, where reliable power sources may not be available. Such advanced technology is of little use without power. Some POEs apparently have neither telephone land lines, nor even reliable mobile telecom coverage, which restricts officers' ability to confer with local DSS offices regarding suspicious individuals, resolve questions pertaining to the watchlist, and respond accordingly.

1E. Passports

(C) Further to the information above on the new e-passport system, standard procedure has been to replace lost passports with full validity (five years) passports that in no way differ from other passports issued. GON has no special procedures for "habitual" losers of passports, as they have not previously been able to determine who such individuals might be, given the lack of an electronic database.

(C) Post's Consular Section reports few incidents of fraudulent passports, given that it has been relatively easy to get a "real" Nigerian passport with fraudulent supporting documents. Fraudulent visas, to demonstrate prior travel to, and return from, developed countries, are detected, however.

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In such instances, the Consular Section sends the passports involved to the Ministry of Foreign Affairs (MFA) which records the names for future reference. It is unclear if any subsequent action is taken at the MFA.

(C) Of note, the GON issues a free, temporary travel document, a special "hajj passport," to low income individuals from rural areas to participate in the pilgrimage to Mecca. (COMMENT Given that these documents lack technological safeguards, one might expect a higher level of fraud, though such documents are only valid for travel to Saudi Arabia. Hence, said documents would pose more of a potential threat to Saudi Arabia, than to our interests. END COMMENT)

1F. Fraud Detection

(C) Past Nigerian efforts at fraud detection have been limited. Occasionally incidents of fraud have involved prominent officials. (Note: Recently a group of 50 Nigerians, including the Deputy Minority Whip of the House of Representatives and other parliamentarians, were refused entry to Saudi Arabia upon arrival for the hajj and deported because their Saudi visas were found to be fraudulent. The politicians involved maintained that the fraud was perpetrated by an unscrupulous travel agency. END NOTE.)

1G. Privacy and Data Security

(C) Theoretically individuals have the right to request access (or sue to get access) to sensitive data about themselves held by Nigerian government agencies, but in practice it is quite difficult. Often the government of Nigeria will determine that such information is a matter of

national security, and the inquiry will then die. There are privacy laws on the books for protecting access to sensitive personal data which apply to all civil servants. In the future, access to the e-passport database should be easier.

H. Immigration Data Bases

(C) As discussed above, there have previously been no electronic databases. Institution of the e-passport marks the advent of the electronic immigration database. Even as the new system matures and gains more electronic records, access to it at all POEs remains highly doubtful, given Nigeria's lack of an integrated computer infrastructure network, not to mention problems with the country's power supply.

I. Watchlist and Information Sharing

See A. and B.

J. Biometrics

See D.

K. Identifying Appropriate Partners

(C) In January 2005, an anti-terrorism bill approved by the Cabinet was sent to the National Assembly, where it remains. It defines terrorism as "any action that may seriously damage a country or international organization, unduly compel a government or an international organization to perform or abstain from performing an action or seriously intimidate or destabilize a population." The bill specifically excludes from the definition of terrorism the disruption by protesters of private or government business. COMMENT: For additional perspective, Nigeria, with its many and occasionally attacked oil platforms, has yet to ratify the 1988 UN Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf. Domestic concerns and Delta politics work against the codification of who or what constitutes a terrorist or terrorist act.

(C) Based on the past history of Nigeria's security services, particularly their activities during the time of military rule, we believe that there likely are political dissidents included in DSS watchlists. During the Abacha regime, files were kept not only on terrorists, but on individuals engaged

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in what was broadly defined as "action against the government," journalists, "fundamentalists" (typically with connections to Iran or Pakistan), and even evangelical missionaries. The likely inclusion of such individuals on watchlists for purely political reasons would pose problems for U.S. cooperation.

(C) Although Nigeria's judicial system has made significant strides in the past year in asserting its independence, it remains subject to corruption, influence and political manipulation. Post believes that at present the judiciary is not capable of providing adequate safeguards for the non-disclosure and protection of information. With continued movement toward judicial independence and a seemingly strong commitment to the rule of law from the current Yar'Adua Administration, the situation may improve in the coming years, at which time a fresh assessment of the situation will be warranted. END COMMENT.
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